

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, ) Case No. 12CR858-WQH  
)  
Plaintiff, )  
) **ORDER AND JUDGMENT TO DISMISS**  
v. )  
)  
NESTOR ARMANDO LOMAS BENITEZ, )  
)  
Defendant. )  
)  
)  
)  
\_\_\_\_\_ )


Upon motion of the UNITED STATES OF AMERICA and good cause appearing thereof,

**IT IS HEREBY ORDERED** that the Indictment in the above-referenced case is dismissed without prejudice as to defendant NESTOR ARMANDO LOMAS BENITEZ.

**IT IF FURTHER ORDERED** that defendant NESTOR ARMANDO LOMAS BENITEZ be released from the custody of the United States Marshals Service and returned to the custody of the Department of Homeland Security.

**SO ORDERED.**

DATED: May 4, 2012

  
**WILLIAM Q. HAYES**  
United States District Judge